

HOUSE BILL 2956  
By Jones R (Shel)

AN ACT to amend Tennessee Code Annotated, Title 8, Chapter 34; Title 8, Chapter 35; Title 8, Chapter 36 and Title 8, Chapter 37, relative to the state retirement system.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Notwithstanding the provisions of Tennessee Code Annotated, Title 8, Chapters 34 through 37, to the contrary, in determining the retirement allowance of a member:

(1) who, on or before July 1, 1979, served as assistant commissioner within the department of correction; and

(2) who, on or before July 1, 1979, was summarily demoted from such position and given a salary reduction in excess of six hundred fifty dollars (\$650) per month; and

(3) who was subsequently offered by the state, with regard to such demotion, a sum not in excess of ten thousand dollars (\$10,000) in consideration for not pursuing a racial discrimination complaint with the Equal Employment Opportunity Commission (EEOC); and

(4) who accrued over thirty-four (34) years of creditable service within the department of correction, at least sixteen (16) of which occurred after such demotion; the average final compensation shall be calculated using the projected annual salaries the member would likely have enjoyed had the demotion not occurred. For purposes of calculating such projected annual salaries, the member's annual salary immediately preceding such demotion shall be increased for each subsequent year of creditable service by the amount of any across-the-board pay raise awarded state employees for such year.

SECTION 2. This act shall take effect July 1, 1996, the public welfare requiring it.

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